

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 004524.P041C

(maximum 12 characters)

First Named Inventor Henry A. Sowizral et al.**Title:** LINK QUALITY AGENT**Express Mail Label No.** EV320118761US

ADDRESS TO: Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. **Fee Transmittal Form** (e.g., PTO/SB/17)
 (Submit an original and a duplicate for fee processing)
2. **Applicant Claims Small Entity Status.** (37 CFR 1.27)
3. **Specification** (Total Pages 21)
 (preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. **Drawings(s)** (35 USC 113) (Total Sheets 3)
5. **Oath or Declaration** (Total Pages 5)
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
 (for Continuation/Divisional with Box 18 completed)
 - i. **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. Unsigned.
6. **Application Data Sheet.** (37 CFR 1.76)
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
 (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

17613 U.S. PTO
107625341
07/22/03

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & documents(s))
 10. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
 11. X Power of Attorney
 12. English Translation Document (if applicable)
 13. Information Disclosure Statement (IDS)/PTO-1449
 14. X Copies of IDS Citations
 15. Preliminary Amendment
 16. X Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
 17. Certified Copy of Priority Document(s) (if foreign priority is claimed)
 18. Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
 19. X Other: Certificate of mailing with copy of postcard signed by attorney

17B. Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

18A. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet Under 37 C.F.R. 1.76:

Continuation XX Divisional Continuation-in-part (CIP)
 Of Prior Application No.: 09/782,956 Examiner Tran, Phuc H. Group Art Unit 2666
 (which is a continuation/ divisional/ CIP of prior application no.
 which is a continuation/ divisional/ CIP of prior application no. (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
 For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that Terabeam Corporation (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. 011889 Frame No. 0674 (or a copy of which is attached).

19. Correspondence Address
 Customer Number or Bar Code Label or (Insert Customer No. or Attach Bar Code Label here)
 X Correspondence Address Below
 NAME R. Alan Burnett
 ADDRESS BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
12400 Wilshire Boulevard
Seventh Floor
 CITY Los Angeles STATE California ZIP CODE 90025-1026
 Country U.S.A. TELEPHONE (206) 292-8600 FAX (206) 292-8606

Name (PRINT/TYPE): R. Alan Burnett Registration No.: R. Alan Burnett
 Signature: R. Alan Burnett Date: July 22, 2007

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

First Named Inventor Henry A. Sowizral et al.
Title LINK QUALITY AGENT

Attorney Docket No. 004524.P041C

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 22, 2003

Date



Signature

R. Alan Burnett

Typed or Printed Name

46,149

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

16367 U.S. PTO
07/22/03

FEE TRANSMITTAL FOR FY 2003

TOTAL AMOUNT OF PAYMENT (\$) \$ 888.00

Complete if Known:

Application No. Not Yet Assigned
 Filing Date Herewith
 First Named Inventor Henry A. Sowizral et al.
 Group Art Unit Not Yet Assigned
 Examiner Name Not Yet Assigned
 Attorney Docket No. 004524.P041C

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
 Deposit Account Number 02-2666
 Deposit Account Name

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed: Check
 Money Order
 Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid		
Fee	Fee	Fee	Fee		
Code	Code	Code	Code		
1001	750	2001	375	Utility application filing fee	<u>750.00</u>
1002	330	2002	165	Design application filing fee	<u></u>
1003	520	2003	260	Plant filing fee	<u></u>
1004	750	2004	375	Reissue filing fee	<u></u>
1005	160	2005	80	Provisional application filing fee	<u></u>

SUBTOTAL (1) \$ 750.00

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims <u>23</u>	<u>- 20** = 3</u>	<u>X 18.00</u>	<u>= 54.00</u>
Independent Claims <u>4</u>	<u>- 3** = 1</u>	<u>X 84.00</u>	<u>= 84.00</u>
Multiple Dependent			

**Or number previously paid, if greater; For Reissues, see below.

Large Entity	Small Entity	Fee Description		
Fee	Fee	Fee		
Code	Code	Code		
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 138.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Larg Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	
Cod	(\$)	Code	(\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1813	8,800	1813	8,800
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	55
1252	410	2252	205
1253	930	2253	465
1254	1,450	2254	725
1255	1,970	2255	985
1401	320	2401	160
1402	320	2402	160
1403	280	2403	140
1451	1,510	1451	1,510
1452	110	2452	55
1453	1,300	2453	650
1501	1,300	2501	650
1502	470	2502	235
1503	630	2503	315
1460	130	1460	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	750	2809	375
1814	110	2814	55
1810	750	2810	375
1801	750	2801	375
1802	900	1802	900
1504	300	1504	300
1505	300	1505	300
1803	130	1803	130
1808	130	1808	130
1454	1,300	1454	1,300
Acceptance of unintentionally delayed claim for priority			

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typ d or Printed Name: R. Alan Burnett

Signature: R. Alan Burnett Date: July 22, 2002

Reg. Numb r: 46,149 T lephon Numb r: (206) 292-8600

LINK QUALITY AGENT

Inventors: Henry A. Sowizral, Christopher R. Payne, Ian G. Angus, Alan S. Wagner,
Patrick N. Harris, Kermit A. Hollinger

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

R. Alan Burnett

R. Alan Burnett
Reg. No. 46,149

"Express Mail" mailing label number: EV320118761US

Date of Deposit: July 22, 2003

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dominique Valentino

(Typed or printed name of person mailing paper or fee)

Dominique Valentino 7-22-03

(Signature of person mailing paper or fee) (Date signed)

Serial/Patent No: Not Yet Assigned
Client: Terabeam Corporation
Title: LINK QUALITY AGENT

Filing/Issue Date: Herewith

BSTZ File No: 004524.P041C

Atty/Secy Initials: RAB/dcv

Date Mailed: 07/22/03

Docket Due Date

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> Amendment/Response (____ pgs.)	<input type="checkbox"/> Express Mail No: EV320118761US	<input checked="" type="checkbox"/> Check No: 3013
<input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)	<input type="checkbox"/> _____ Months(s) Extension of Time	<input type="checkbox"/> _____ Amt: \$888.00
<input type="checkbox"/> Application - Utility (____ pgs. with cover and abstract)	<input type="checkbox"/> Information Disclosure Statement & PTO-149 (____ pgs.)	<input type="checkbox"/> Check No: _____
<input checked="" type="checkbox"/> Application - Rule 1.53(b) Continuation (21 pgs.)	<input type="checkbox"/> Issue Fee Transmittal	<input type="checkbox"/> _____ Amt: _____
<input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)	<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> _____ Amt: _____
<input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)	<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> _____ Amt: _____
<input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)	<input type="checkbox"/> Petition for _____	<input type="checkbox"/> _____ Amt: _____
<input type="checkbox"/> Application - Design (____ pgs.)	<input checked="" type="checkbox"/> Postcard	<input type="checkbox"/> _____ Amt: _____
<input type="checkbox"/> Application - PCT (____ pgs.)	<input type="checkbox"/> Power of Attorney (____ pgs.)	<input type="checkbox"/> _____ Amt: _____
<input checked="" type="checkbox"/> Application - Provisional (____ pgs.)	<input checked="" type="checkbox"/> Preliminary Amendment (8 pgs.)	<input type="checkbox"/> _____ Amt: _____
<input type="checkbox"/> Assignment and Cover Sheet	<input type="checkbox"/> Reply Brief (____ pgs.)	<input type="checkbox"/> _____ Amt: _____
<input checked="" type="checkbox"/> Certificate of Mailing	<input type="checkbox"/> Response to Notice of Missing Parts	<input type="checkbox"/> _____ Amt: _____
<input checked="" type="checkbox"/> Declaration & POA (5 pgs.) (copy)	<input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business	<input type="checkbox"/> _____ Amt: _____
<input type="checkbox"/> Disclosure Docs & Org & Copy of Inventor's Signed Letter (____ pgs.)	<input checked="" type="checkbox"/> Transmittal Letter, in duplicate: (3 pgs. each)	<input type="checkbox"/> _____ Amt: _____
<input checked="" type="checkbox"/> Drawings: 3 # of sheets includes 3 figures	<input checked="" type="checkbox"/> Fee Transmittal, in duplicate: (2 pgs. each)	<input type="checkbox"/> _____ Amt: _____
<input checked="" type="checkbox"/> Other: Certificate of mailing with copy of return postcard signed by attorney		